U .S. Application No. 09/839888
PROPOSED RESPONSE
Page 2 of 10

Amendments to the Claims

Please amend the claims as follows:

1-52.   (Cancelled)

53.   (Currently Amended)   A method computer system for creating an exchange traded product comprising a leveraged portfolio of securities. the system comprising the steps of:

a computer memory comprising a set of user defined criteria and a computer database containing data representing characteristics of a plurality of securities; and.

a processor for selecting at least two of the securities for inclusion in the exchange traded product based on identifying securities within a substantially similar industry sector and ; separating the securities into a group satisfying market capitalization criteria; creating a unit investment trust having a number of outstanding shares and a portfolio of securities within the group; providing a dat a contained in the database. the processor weighting of the selected securities comprising the portfolio; changing the securities comprising the portfolio in response to a change in the identified securities; within the exchange traded product based on the set of user defined criteria;

wherein the exchange traded product is configured for trading of the outstanding shares of the exchange traded product on an exchange at a real time determined price of the shares related to the underlying price of each of the selected securities comprising the exchange traded product and related to the respective weightings of the selected securities. portfolio; and outputting an indication of the real time determined price in a humanly readable format.

54-89.   (Cancelled)

90.   (Currently Amended)   The ~~method~~ computer system of claim 53 further comprising ~~the step of listing the outstanding shares on~~ an exchange computer for listing the shares of the exchange traded product available for purchase or sale.

91.   (Currently Amended)   The ~~method~~ computer system of claim 90 ~~53 further~~ ~~comprising the step of listing on an exchange~~ a wherein the exchange computer also lists derivatives available for purchase or sale, the derivatives having a price related to the real time determined price of the exchange traded product.

92.   (Currently Amended)   The ~~method~~ computer system of claim 53 further comprising ~~the step of~~ an accounting system for calculating financial statements for dissemination to ~~of shareholders~~ the owners of the ~~outstanding~~ shares.

93.   (Currently Amended)   The ~~method~~ computer system of claim 90 ~~53 further~~ ~~comprising the step of~~ wherein the exchange computer is configured for electronically trading of t he ~~outstanding~~ shares.

94.   (Cancelled)

95.   (Currently Amended)   A ~~method comprising the steps of~~ computer implemented system for exchanging shares in an exchange traded product, the system comprising:

a display for displaying data ~~listing outstanding shares~~ representing ~~ownership~~ shares of a ~~unit investment trust having~~ an exchange traded product comprising a leveraged portfolio ~~comprising~~ of securities ~~within a substantially similar industry and~~ satisfying market capitalization criteria, the securities within the portfolio being weighted; and

an exchange computer for ~~providing an~~ processing the exchange ~~for trading the~~ of ~~outstanding~~ the shares at a price related to the price of the securities within the leveraged portfolio, the exchange computer configured to transmit data indicative of trades which occur

~~intra-day~~ over a communication network to an exchange clearing computer. ~~and displaying in real time the price that the outstanding shares were traded on the exchange.~~

96.   (Currently Amended) The ~~method~~ computer implemented system of claim 95 ~~further comprising the step of listing a~~ wherein the display also displays data representing at least one derivative product ~~on an exchange and~~ having a price related to the price of the ~~outstanding~~ shares.

97 - 101.   (Cancelled)

102.   (New) The computer system of claim 53 wherein the processor interacts with the computer database to monitor changes in the selected securities.

103.   (New) The computer system of claim 102 wherein the processor alters the securities which make up the exchange traded product in response to data in the computer database representing changes in the selected securities.

104.   (New) The computer system of claim 53 wherein the display is also provided for displaying information indicative of the value of the exchange traded product on at least an end of day basis in humanly readable format.

105.   (New) The computer system of claim 53 wherein said processor calculates a net asset value of the exchange traded product.

106.   (New) The computer system of claim 53 wherein the exchange traded product comprises at least one product selected from the group consisting of puts and calls, futures, caps and floors, total return swaps, collars, warrants, equity swaps, options and knock-out options.

107.   (New) The computer system of claim 53 wherein the exchange traded product is not a unit investment trust.

108.   (New) The computer system of claim 53 wherein the processor is configured to select only securities in a specific index.

109.   (New) The computer system of claim 108 wherein the index is the Dow Jones Industrial Average.

110.   (New) The computer system of claim 108 wherein the index is the S&P 500.

111.   (New) The computer system of claim 53 wherein the exchange computer is further configured to execute a hedge trade that can be traded for a price related to the price of the shares of the exchange traded product.

112.   (New) The computer system of claim 53 wherein the user defined criteria comprises at least one of the group consisting of fund net asset value (N.A.V.) for each year, portfolio composition, investment objective, load adjusted and unadjusted return, maximum sales charge, median market capitalization, daily, monthly, quarterly, yearly, multi-year returns, mpt, beta, sharpe, R squared, standard deviation, historical risk/reward ratios, N.A.V. distribution adjusted earning, payout ratio, potential capital gains exposure, price/book ratio, price/earnings ratio, prospectus, purchase constraints, redemption fees, sector weighting, shareholder fees, total return, total return percentile, turnover ratio, deferred fees, debt % total capitalization, dividends, distributor, telephone number, manager name, manager tenure, class of shares, and brokerage availability.

113.   (New) The computer system of claim 53 wherein the processor is configured to select only securities from within a substantially similar industry.

114.   (New) The computer implemented system of claim 95 wherein the exchange clearing computer is comprised to compute and transmit data resulting from trades of shares of

the exchange traded product to third party accounting systems that manage the securities which

make up the exchange traded product.

115.   (New)   The computer implemented system of claim 95 wherein the display is

located on the floor of a public exchange.

116.   (New)   The computer implemented system of claim 95 wherein the exchange

traded product further comprises at least one product selected from the group consisting of puts

and calls, futures, caps and floors, total return swaps, collars, warrants, equity swaps, options and

knock-out options.

117.   (New)   The computer implemented system of claim 95 wherein the exchange

traded product is not a unit investment trust.

118.   (New)   The computer implemented system of claim 95 further comprising a

processor for correlating the price of the shares to the price of the securities within the leveraged

portfolio.

119.   (New)   The computer implemented system of claim 95 wherein the securities

within the leveraged portfolio satisfy a user defined risk criteria.

120.   (New)   The computer implemented system of claim 119 wherein the user defined

criteria comprises at least one of the group consisting of fund net asset value (N.A.V.) for each

year, portfolio composition, investment objective, load adjusted and unadjusted return, maximum

sales charge, median market capitalization, daily, monthly, quarterly, yearly, multi-year returns,

inpt, beta, sharpe, R squared, standard deviation, historical risk/reward ratios, N.A.V. distribution

adjusted earning, payout ratio, potential capital gains exposure, price/book ratio, price/earnings

ratio, prospectus, purchase constraints, redemption fees, sector weighting, shareholder fees, total

return, total return percentile, turnover ratio, deferred fees, debt % total capitalization, dividends,

distributor, telephone number, manager name, manager tenure, class of shares, and brokerage availability.

121.   (New) The computer implemented system of claim 95 wherein the system is adapted to implement an over the counter market for buying and selling a derivative having a price related to the price of the exchange traded product.

122.   (New) The computer implemented system of claim 95 wherein the display also displays a hedge that can be bought and sold for a price related to the price of the shares of the exchange traded product.

123.   (New) The computer implemented system of Claim 95 further comprising the step of electronically trading the shares of the exchange traded product.

124.   (New) The computer implemented system of Claim 95 further comprising the step of buying and selling the shares of the exchange traded product at a mutually agreed upon price.

125.   (New) The computer implemented system of claim 95 wherein the exchange traded product is open ended.